

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY
RE: PROPOSED DISPOSITION OF PARCEL C-2 IN THE
SOUTH COVE URBAN RENEWAL AREA
PROJECT NUMBER R-92
FOR DEVELOPMENT PURPOSES

WHEREAS, the Boston Redevelopment Authority, hereinafter referred to as the "Authority", has entered into a contract for loan and capital grant with the Federal Government under Title I of the Housing Act of 1949, as amended, which contract provides for financial assistance in the hereinafter identified project; and

WHEREAS, the Urban Renewal Plan for the South Cove Urban Renewal Area, Project No. Mass. R-92, hereinafter referred to as the "Project Area", has been duly reviewed and approved in full compliance with local, state and federal law; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and the carrying out of urban renewal projects with Federal financial assistance under said Title I, including those prohibiting discrimination because of race, color, sex, religion, or national origin; and

WHEREAS, the Authority is cognizant of Chapter 30, Section 61 and 62 of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That 74-76 Warrenton St. Inc be, and hereby is, tentatively designated as redeveloper of Parcel C-2 in the South Cove Urban Renewal Area.

The above is subject to:

1. Concurrence by the Department of Housing and Urban Development in the proposed disposal transaction.

2. Submission within ninety (90) days in a form satisfactory to the Authority of:

- (a) Evidence of the availability of necessary equity funds;
 - (b) Evidence of firm financing commitments from banks or other lending institutions.
3. Final Working Drawings and Specifications within one hundred eighty (180) days in a form satisfactory to the Authority.

4. That the disposal of Parcel C-2 by negotiation is the appropriate method of making land available for the development.
5. That the Secretary is hereby authorized and directed to publish notice of the proposed disposal transaction in accordance with Section 105 (e) of the Housing Act of 1949, as amended, including information with respect to the "Redeveloper's Statement for Public Disclosure" Federal Form H-6004.
6. That it is hereby found and determined that the proposed development will not result in significant damage to or impairment of the environment and further, that all practicable and feasible means and measures have been taken and are being utilized to avoid or minimize damage to the environment.

REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE¹

A. REDEVELOPER AND LAND

1. a. Name of Redeveloper: 74-76 Warrenton Street Inc.
- b. Address and ZIP Code of Redeveloper: 74-76 Warrenton Street, Boston, MA 02116
- c. IRS Number of Redeveloper:
2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

The Boston Redevelopment Authority
(Name of Local Public Agency)

in The South Cove Urban Renewal Area
(Name of Urban Renewal or Redevelopment Project Area)

in the City of Boston, State of Mass.,
is described as follows²

Parcel C-2 - See attached Plan

3. If the Redeveloper is not an individual doing business under his own name, the Redeveloper has the status indicated below and is organized or operating under the laws of Mass.:

A corporation.

A nonprofit or charitable institution or corporation.

A partnership known as

A business association or a joint venture known as

A Federal, State, or local government or instrumentality thereof.

Other (explain)

4. If the Redeveloper is not an individual or a government agency or instrumentality, give date of organization:
December 1972

5. Names, addresses, title of position (if any), and nature and extent of the interest of the officers and principal members, shareholders, and investors of the Redeveloper, other than a government agency or instrumentality, are set forth as follows: Mr. Edward P. Jones, 157 Beacon St., Boston, Mass. Pres. & Treasurer 100% of Stock

Mr. Brimton P. Roberts, 202 Lake St. Sherborn, Mass., Clerk

If space on this form is inadequate for any requested information, it should be furnished on an attached page which is referred to under the appropriate numbered item on the form.

2 Any convenient means of identifying the land (such as block and lot numbers or street boundaries) is sufficient. A description by metes and bounds or other technical description is acceptable, but not required.

- a. If the Redeveloper is a corporation, the officers, directors or trustees, and each stockholder owning more than 10% of any class of stock¹
- b. If the Redeveloper is a nonprofit or charitable institution or corporation, the members who constitute the board of trustees or board of directors or similar governing body.
- c. If the Redeveloper is a partnership, each partner, whether a general or limited partner, and either the percent of interest or a description of the character and extent of interest.
- d. If the Redeveloper is a business association or a joint venture, each participant and either the percent of interest or a description of the character and extent of interest.
- e. If the Redeveloper is some other entity, the officers, the members of the governing body, and each person having an interest of more than 10%.

NAME, ADDRESS, AND ZIP CODEPOSITION TITLE (if any) AND PERCENT OF INTEREST OR
DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST

Edward P. Jones

157 Beacon St., Boston, Mass.
Pres/Tres. 100%

Brinton P. Roberts

202 Lake St., Sherborn, Mass.
Clerk

6. Name, address, and nature and extent of interest of each person or entity (*not named in response to Item 5*) who has a beneficial interest in any of the shareholders or investors named in response to Item 5 which gives such person or entity more than a computed 10% interest in the Redeveloper (*for example, more than 20% of the stock in a corporation which holds 50% of the stock of the Redeveloper; or more than 50% of the stock in a corporation which holds 20% of the stock of the Redeveloper*):

NAME, ADDRESS, AND ZIP CODEDESCRIPTION OF CHARACTER AND EXTENT OF INTEREST

7. Names (*if not given above*) of officers and directors or trustees of any corporation or firm listed under Item 5 or Item 6 above:

B. RESIDENTIAL REDEVELOPMENT OR REHABILITATION

(The Redeveloper is to furnish the following information, but *only* if land is to be redeveloped or rehabilitated in whole or in part for *residential* purposes.)

¹ If a corporation is required to file periodic reports with the Federal Securities and Exchange Commission under Section 13 of the Securities Exchange Act of 1934, so state under this Item 5. In such case, the information referred to in this Item 5 and in Items 6 and 7 is not required to be furnished.

1. State the Redeveloper's estimates, exclusive of payment for the land, for:

- a. Total cost of any residential redevelopment. \$
- b. Cost per dwelling unit of any residential redevelopment. \$
- c. Total cost of any residential rehabilitation \$
- d. Cost per dwelling unit of any residential rehabilitation \$

2. a. State the Redeveloper's estimate of the average monthly rental (*if to be rented*) or average sale price (*if to be sold*) for each type and size of dwelling unit involved in such redevelopment or rehabilitation:

<u>TYPE AND SIZE OF DWELLING UNIT</u>	<u>ESTIMATED AVERAGE MONTHLY RENTAL</u>	<u>ESTIMATED AVERAGE SALE PRICE</u>
	\$	\$

b. State the utilities and parking facilities, if any, included in the foregoing estimates of rentals;

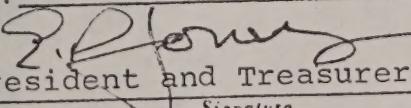
c. State equipment, such as refrigerators, washing machines, air conditioners, if any, included in the foregoing estimates of sales prices:

CERTIFICATION

I (We)¹ 74-76 Warrenton Street Inc.

certify that this Redeveloper's Statement for Public Disclosure is true and correct to the best of my (our) knowledge and belief.²

Dated: Nov. 12, 1974


President and Treasurer
Signature

Dated: _____

Signature

74-76 Warrenton St., Boston 02116
Title

Title

Address and ZIP Code

Address and ZIP Code

¹ If the Redeveloper is an individual, this statement should be signed by such individual; if a partnership, by one of the partners; if a corporation or other entity, by one of its chief officers having knowledge of the facts required by this statement.

² Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than \$10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any Department of the United States.

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT T. KENNEY, DIRECTOR

DATE: December 13, 1974

SUBJECT: STATUS OF 74-76 WARRENTON STREET, INC.

(A) Playhouse Boston, Inc., who allegedly incurred a debt of \$2,800.00 owed to the BRA, was incorporated as a non-profit (C.180) Corporation on January 23, 1961. It was incorporated by Frank Sugrue, who was also President and a Director, Eileen P. Courtenay, who was also Treasurer, Robert J. Calvin, who was a Director, Avery R. Johnson, Michael Murray, who was a Director, Joanna Johnson and Mitchell Halperin.

Mr. Sugrue maintained orally to me that he was only the General Manager of the above Corporation. No stock is issued by 180 Corporations. This Corporation was legally dissolved January 25, 1973, under Ch. 180 § 26A.

(B) 74-76 Warrenton Street, Inc. seeks a tentative designation for Parcel C-2 abutting the Charles Playhouse, which is owned by them at present. This Corporation was incorporated on January 25, 1973, on which date, Playhouse Boston, Inc. was dissolved. The sole incorporator was Brinton P. Roberts.

The President and Treasurer is Edward P. Jones, who owns all 15,000 shares of Common Stock issued. The Directors are Jeffrey Davis, Edward P. Jones, and Frank Sugrue.

(C) Conclusion - The beneficial interest and equity of 74-76 Warrenton Street, Inc. is owned by Edward P. Jones, who owned no part of Playhouse Boston, Inc., which was legally dissolved. Mr. Sugrue was the only person who was an officer and/or Director of both corporations, but he cannot be held personally liable for the debts of either corporations unless he specifically made himself so liable. He owns no equitable interest in 74-76 Warrenton Street, Inc., nor did he own any in Playhouse Boston, Inc. There is, therefore, apparently no connection between the two Corporations sufficient to pass any liability from one to the other.

(D) Playhouse Boston Inc. ceased being the Authority tenant when it vacated 888 Washington Street on June 30, 1970. This was a self move by the Playhouse Inc. staff, and no relocation claim was filed. It should be noted the Playhouse Boston, Inc., would have been entitled to a relocation payment which our relocation staff estimates would approximate \$3,000.00. However, no claim was filed and no payment was paid, so therefore the rent arrearages of Playhouse Boston, Inc. should be viewed with this additional factor in mind.

TABLED: December 5, 1974

TABLED: December 19, 1974

RESUBMITTED: December 26, 1974

MEMORANDUM

To: Boston Redevelopment Authority

From: Robert T. Kenney, Director

Date: 19 December 1974

Subject: Tentative Designation of Redeveloper
Parcel C-2
South Cove Urban Renewal Area, Mass. R-92

Summary

This memorandum requests the Authority to tentatively designate 74-76 Warrenton St., Inc. as Redeveloper of Parcel C-2 in the South Cove Urban Renewal Area.

Parcel C-2 is a 5,000 square foot parcel located adjacent to the Charles Playhouse in the South Cove, and is bounded by Warrenton Street and Charles Street South.

The developer, 74-76 Warrenton Street, Inc. was incorporated in Massachusetts in 1972 and assumed the Charles Playhouse building on Warrenton Street. Since 1972, the developer has produced an entertainment complex including the Charles Playhouse with a 500-seat capacity, a downstairs cabaret (with a 200-seat capacity), and a restaurant. To complete this complex, 74-76 Warrenton Street Inc. would like to develop Parcel C-2.

The proposal submitted by the developer consists of two phases. The initial phase includes an outdoor cafe on approximately half of the parcel. The balance of the parcel is to be landscaped so as to be consistent with the proposed South Cove Plaza which is in the immediate vicinity of this parcel. The total cost of this phase is approximately \$70,000.

Phase II of Parcel C-2's development is to occur within the next 3-5 years and consists of 3 levels of expansion, including the Charles Playhouse Restaurant, Lobby and Theater. This phase will cost approximately \$320,000.

The architect for the project is Peter Chermayeff of the Cambridge Seven Associates of 1000 Massachusetts Avenue, Cambridge.

The proposal is considered by the Authority to be the most appropriate utilization of this parcel and I therefore recommend that the Authority designate 74-76 Warrenton Street Inc. as tentative redeveloper of Parcel C-2 in the South Cove Urban Renewal Area.

An appropriate resolution is attached.

